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DATE: 03/30/04
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 FROM: Ex. DAVIS
 ART UNIT 1642
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TO: Attorney Norman Hanson
 FIRM:
 ATTORNEY'S DOCKET # OR SERIAL: 09/583,848
 FAX/TELECOPIER NUMBER: 212-318-3400
 COMMENTS: Interview Summary of 03/29/04

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FULBRIGHT & JAWORSKI, LLP

NEW YORK DOCKETING

Docketed ☒ Not Required ☐Previously ☐ Updated ☐

Docket No:

Action: Substance of interview

Reminder: 4-22-04

Date: Due/Done 4-28-04

Initials: DJ

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Interview Summary	Application No.		Applicant(s)	
	09/583,848		GAUGLER ET AL.	
	Examiner		Art Unit	
	MINH-TAM DAVIS		1642	

All participants (applicant, applicant's representative, PTO personnel):

(1) MINH-TAM DAVIS. (3) ANTHONY CAPUTA.
 (2) BRIAN STANTON. (4) YVONNE EYLER. (5) NORMAN HANSON.

Date of Interview: 03/29/04.

Type: a) ☐ Telephonic b) ☐ Video Conference
 c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
 If Yes, brief description: _____

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required _____

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Application No. 09/583,848

Continuation Sheet (PTOL-413)

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments; The question as to whether or not the claimed invention was supported by an adequate written description was discussed in view the discussion that 9 different genes were isolated using the disclosed hybridization/pcr methods. This point was acknowledged and the applicant was advised that this would be reviewed in light of the specification.

It was noted that no written description rejection was of record and applicant was advised that if further consideration indicated that such a rejection was appropriate, such would be made.

Pursuant to the discussion, it was agreed that the written description issue would be reconsidered by the Office and the position in this regard would be presented to applicant verbally no later than 4/6/04 and, if necessary, in a non-final rejection.

Applicant was advised that closed language drawn to a nucleic acid consisting of SEQ ID NO: 18 and fragments thereof at least 27 nucleotides in length was considered allowable at this time..

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